

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AARON ABADI,

:

Case No. 1:23-cv-04033-LJL

Plaintiff,

:

- against -

:

AMERICAN AIRLINES GROUP INC., et al,

:

Defendants.

:

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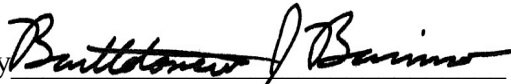
**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law dated November 20, 2023 and upon all prior pleadings and proceedings in this action, Defendants Concesionaria Vuela Compañía de Aviación, S.A.P.I. de C.V., Royal Air Maroc, Aerovías de México S.A. de C.V., Transportes Aéreos Portugueses, S.A., Spirit Airlines, Inc., Avianca S.A., Singapore Airlines, LATAM Airlines Group S.A., Iberia Líneas Aéreas De España, S.A. Operadora, Sociedad Unipersonal, LOT Polish Airlines, SA, British Airways P.L.C., and Matthew Roberts (the “C&F-represented Defendants”) hereby move this Court under Rule 12 of the Federal Rules of Civil Procedure for an Order dismissing the Complaint on the ground that it fails to state a claim for which relief may be granted, and, with respect to Defendant Matthew Roberts, the Court lacks personal jurisdiction.

**PLEASE TAKE FURTHER NOTICE** that opposing papers and affidavits, if any, are to be served on or before December 18, 2023 in accordance with the Court’s Individual Practice Rule 2(K). Pursuant to the Court’s Individual Rule of Practice 2(I), the C&F-represented Defendants and Plaintiff have agreed to the following page limits for briefing: (1) 47 pages for the opening Memorandum of Law; (2) 47 pages for Plaintiff’s Opposition; and (3) 25 pages for Defendants’ Reply.

Dated: New York, New York  
November 20, 2023

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By 

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Portugueses, S.A., Spirit Airlines, Inc.,  
Avianca S.A., Singapore Airlines, LATAM  
Airlines Group S.A., Iberia Líneas Aéreas De  
España, S.A. Operadora, Sociedad  
Unipersonal, LOT Polish Airlines, SA, British  
Airways P.L.C., and individual Defendant  
Matthew Roberts

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

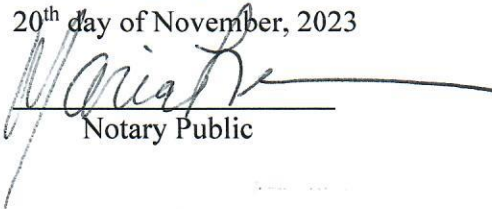
Beatriz Romero, duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides in Monroe, New York. That on the 20<sup>th</sup> day of November 2023, deponent served a copy of the within **NOTICE OF MOTION TO DISMISS** with supporting Memorandum of Law and exhibit upon:

Aaron Abadi, *pro se*  
82 Nassau Street, Apt. 140  
New York, NY 10038

via ECF filing and at the address designated by said pro se litigant for that purpose by depositing same enclosed in a properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
Beatriz Romero

Sworn to before me this  
20<sup>th</sup> day of November, 2023

  
Notary Public

